

TOWN OF SALISBURY  
SEWER USE RULES & REGULATIONS

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TOWN OF SALISBURY

**Sewer User Fee Rules and Regulations**

1. Sewer User Fee Rules and Regulations—These rules and regulations (“rules”) are adopted by the Board of Selectmen acting as Sewer Commissioners under Section 209-13A of the Salisbury Sewer Use Bylaw. These rules may be amended from time to time by the Sewer Commissioners after a hearing at a public meeting duly noticed on the Town Bulletin Board.
2. EQR Schedule—Sewer user fees are assessed by the Sewer Department based on the Sewer User Fee EQR Schedule approved by the Sewer Commissioners. The EQR Schedule may be amended from time to time by the Sewer Commissioners after a hearing at a public meeting duly noticed on the Town Bulletin Board.
3. Assessment and Adjustment of EQR Ratings—The Sewer Department will establish the EQR rating for each sewer Customer by assessing the Customer’s premises according to these rules and the EQR Schedule. A Customer may apply for an adjustment of an established EQR rating by filing an application on a form approved by the Sewer Department within forty-five (45) days after the date of the Customer’s first Sewer User Fee bill that reflects the EQR rating. Applications may be obtained at the Department of Public Works and can also be downloaded from the Town’s web site at [www.salisburyma.gov](http://www.salisburyma.gov). The Sewer Department shall review each application for adjustment and shall notify the applicant in writing of its decision on the application within thirty (30) days after receipt of the application. If the applicant is aggrieved by the decision, the applicant may appeal to the Sewer Commissioners. The Sewer Commissioners shall hear all appeals at a public meeting duly noticed on the Town Bulletin Board and shall notify the applicant of the date, time and place of the hearing. The Sewer Commissioners shall notify the applicant of their decision on the appeal in writing.
4. Residential Dwelling Units—Each residential dwelling unit shall be assessed one EQR. This rule applies not only to single family homes, but also to accessory apartments, condominiums, mobile homes, multi-family developments, apartments and mixed-use developments. In the case of mixed-use developments, each residential dwelling unit shall be assessed one EQR and each non-residential unit shall be assessed separately according to the EQR Schedule. Each non-residential Customer in a mixed-use development is eligible to apply to have its EQR rating adjusted to its actual metered water usage as permitted under paragraph 6 of these rules, provided that the non-residential Customer has a water meter that is separate from the water meter(s) serving the residential dwelling unit(s) in the development.
5. Non-residential Customers—Each non-residential Customer (including commercial, retail, industrial and other non-residential customers) shall be assessed according to



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the EQR Schedule, subject to a minimum assessment of one EQR per non-residential Customer.

6. Conversion of Non-residential Customers to Metered Usage from EQR Schedule:
  - a) For purposes of determining Sewer User Fees payable, non-residential Customers may apply to have the number of EQR's assigned to their premises ("EQR rating") adjusted to reflect their actual annual water consumption. To be eligible for an adjustment the Customer must be assessed a minimum of two (2) EQR's under the EQR Schedule. No Customer is eligible to apply for the adjustment until the Customer's water meter has been in service for at least twelve (12) months. The adjustment will be based on metered water consumption at the Customer's premises during the twelve calendar month period preceding the date the Customer applied for the adjustment ("computation period").
  - b) The following formula shall be used to convert the actual water consumed to EQR's:  
Actual water consumed during computation period in gallons: e.g., 730,000 gallons  
Divided by days in the period (365) equals 2,000 gallons per day (GPD) average consumption  
Times 2 (adjustment factor to convert average consumption to maximum daily flow) equals 4,000 GPD maximum daily flow  
Divided by 330 GPD (maximum daily flow per EQR) equals 12.12 EQR's.
  - c) The Sewer Department will notify the Customer in writing of the adjustment within thirty (30) days after the date of the application. No adjustment shall result in an assessment of less than one (1) EQR. If an adjustment is made that reduces the annual sewer user fee payable by the Customer to an amount that is less than the amount initially paid by the Customer during the computation period, the Sewer Department will refund the excess to the Customer.
  - d) The Sewer Department will monitor water consumption by non-residential Customers whose EQR rating has been adjusted. If at any time the Sewer Department finds that any such Customer's water consumption has increased during any twelve month period from the consumption amount on which the Customer's EQR rating is based, the Sewer Department may give written notice to the Customer of a further adjustment of the Customer's EQR rating based on the increased water usage and shall base the Customer's future sewer user fees on the adjusted EQR rating. The Sewer Department shall calculate all adjusted EQR ratings by using the formula set forth in subparagraph (b) above.
7. New Construction and Redevelopment—For new construction and redevelopment sewer user fees will first be assessed for each residential or non-residential unit when the water meter is installed that serves the unit. Customers desiring water and sewer service for new construction and redevelopment must apply for the service at least thirty (30) days in advance of the requested date for installation of the water meter.



8. User Fees – Effective April 1, 2008, sewer user fees shall be charged at the rate of \$30 per month per EQR and shall be billed quarterly in arrears.
9. User Fee Adjustment for Seasonal Customers -- The user fee adjustment for seasonal customers is eliminated effective April 1, 2008.
10. User Fee Discounts for Resident Property Owners with Statutory Real Estate Tax Exemptions -- Residents who qualify for statutory real estate tax exemptions on their principal residence or domicile in Salisbury under Clauses 17D, 17E, 22 (a-f), 22A, 22B, 22C, 22D, 22E, 37A, 41A, 41C, 41D, 42 or 43 of Section 5 of Chapter 59 or Section 8A of Chapter 58 of the Massachusetts General Laws because they are seniors with low incomes, surviving spouses, legally blind persons, disabled veterans or otherwise will be given a \$3 per month discount on their sewer user fee bills for their principal residence or domicile. Residents who qualify for real estate tax exemptions for a particular fiscal year will be entitled to the discount on sewer user fee bills rendered to them for sewer use at their principal residence or domicile during the following fiscal year. For example residents who qualify for a real estate tax exemption for the fiscal year ending June 30, 2008, will be entitled to the discount on sewer user fee bills rendered between July 1, 2008, and June 30, 2009. The 2009 fiscal year (July 1, 2008, to June 30, 2009) is the first fiscal year in which the user fee discount will be applied.

(Revision: Approved 6-23-08; Effective 6-30-08)